

THIRTY-SECOND DAY

(Wednesday, March 5, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Hon. R. Emmett Morse.

The roll of the House was called, and the following Members were present:

| | |
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| Allen | Garland |
| Allison | Gilmer |
| Alsup | Goodman |
| Anderson | Halsey |
| Avant | Hanna |
| Bailey | Hardeman |
| Baker | Hargis |
| Bean | Harris of Dallas |
| Bell | Harris of Hill |
| Benton | Hartzog |
| Blankenship | Heflin |
| Boone | Helpinstill |
| Brawner | Henderson |
| Bray | Hileman |
| Bridgers | Hobbs |
| Brown | Howard |
| Bruhl | Howington |
| Bullock | Hoyo |
| Bundy | Huddleston |
| Burnaman | Huffman |
| Carlton | Hughes |
| Carrington | Humphrey |
| Cato | Hutchinson |
| Celaya | Isaacks |
| Chambers | Jones |
| Clark | Kelly |
| Cleveland | Kennedy |
| Coker | Kersey |
| Colson, Mrs. | Kinard |
| Connelly | King |
| Craig | Klingeman |
| Crossley | Knight |
| Crothwait | Lansberry |
| Daniel | Lehman |
| Davis | Leyendecker |
| Deen | Little |
| Dickson of Bexar | Lock |
| Dickson of Nolan | Love |
| Donald | Lowry |
| Dove | Lucas |
| Duckett | Lyle |
| Dwyer | McAlister |
| Ellis | McCann |
| Eubank | McDonald |
| Evans | McGlasson |
| Favors | McLellan |
| Ferguson | McMurry |
| Files | McNamara |
| Fitzgerald | Manning |
| Fuchs | Markle |
| Gandy | Martin |

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| Matthews | Sharpe |
| Mills | Shell |
| Montgomery | Simpson |
| Morgan | Skiles |
| Morris | Smith of Bastrop |
| Morse | Smith of Atascosa |
| Murray | Spacek |
| Nicholson | Spangler |
| Pace | Stanford |
| Parker | Stinson |
| Pevehouse | Stubbs |
| Phillips | Thornton |
| Price | Turner |
| Rampy | Vale |
| Reed of Bowie | Voigt |
| Reed of Dallas | Walters |
| Roark | Wattner |
| Roberts | Weatherford |
| Rhodes | White |
| Sallas | Whitesides |
| Senterfitt | Winfree |

Absent—Excused

| | |
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| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Almighty God, the demands of present conditions and the expectations of our people press heavily upon us all along the line. We feel our inability, if left alone, to solve the many problems that face us. Humbly we pray that Thy Divine presence may be with us and that Thy hand may lead us to arrive at right present ends and permanently worthy results in all our work. In Christ's name. Amen."

COMMUNICATION FROM HON.
HOMER LEONARD

Honorable E. R. Lindley, Chief Clerk,
House of Representatives.

During my absence from the House of Representatives on Wednesday, March 5, 1941, I hereby designate the Honorable R. Emmett Morse to preside in my absence.

HOMER LEONARD,
Speaker of the House
of Representatives.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Ridgeway for today, on account of important State business, on motion of Mr. Brown.

Mr. Moore for today, on account of important State business, on motion of Mr. Fitzgerald.

The following Members were granted leaves of absence on account of illness:

Mr. Manford for today on motion of Mr. Hutchinson.

Mr. Burkett for today on motion of Mr. Crossley.

Mr. Taylor for today on motion of Mr. Harris of Dallas.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Chambers:

H. B. No. 712, A bill to be entitled "An Act providing for a more adequate and equitable salary for constable and justice of peace in all counties in this State having a population of not less than twenty-five thousand, five hundred (25,500) and not more than twenty-six thousand, two hundred (26,200), and containing a city having a population of not less than fourteen thousand (14,000) and not more than fourteen thousand, five hundred (14,500), according to the last preceding Federal Census, in which is located a military camp; providing manner in which same shall be paid; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Rhodes:

H. B. No. 713, A bill to be entitled "An Act authorizing and empowering the Commissioners' Court to fix the compensation of the County Attorneys in all counties in this State having County Attorneys and having a population of not less than 25,440 nor more than 26,050, according to the last preceding Federal census; fixing the maximum and minimum salary for such officer;

fixing the mode and manner of payment of such salary; fixing the effective date of this Act, repealing all laws and parts of laws in conflict herewith to the extent of conflict only."

Referred to the Committee on Counties.

By Mr. Garland, Mr. Sharpe, Mr. McCann, Mr. Reed of Bowie and Mr. Moore:

H. B. No. 714, A bill to be entitled "An Act providing for a closed season for taking wild deer and wild turkey in the Counties of Red River, Lamar and Bowie for five years; providing a penalty; repealing conflicting laws; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Hanna, Mr. Crosthwait, Mr. Reed of Dallas, Mr. Stinson, Mr. Blankenship and Mr. Harris of Dallas:

H. B. No. 715, A bill to be entitled "An Act ratifying, confirming, and validating orders of County School Trustees, Boards of County School Trustees, County Boards of Trustees, County Boards of School Trustees, Commissioners Courts, and Boards of Trustees of Common and Independent School Districts, relating to the laying out, establishment, combining, abolishing, changing of boundaries, detaching territory from, or annexing territory to, any such school district, in counties having more than three hundred and ninety thousand (390,000) population and less than five hundred thousand (500,000) population, according to the last preceding Federal Census, except where contests of same may be pending at the time this Act becomes effective, and except where contests of same may be brought within six (6) months after this Act becomes effective; and declaring an emergency."

Referred to the Committee on School Districts.

Mr. Dickson of Nolan moved to introduce at this time and have placed on first reading House Bill No. 716.

The motion prevailed by the following vote:

Yeas—131

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|------------------|-------------------|
| Allen | Howington |
| Allison | Hoyo |
| Alsup | Huddleston |
| Anderson | Huffman |
| Avant | Hughes |
| Bailey | Humphrey |
| Baker | Hutchinson |
| Bell | Isaacks |
| Benton | Jones |
| Blankenship | Kelly |
| Boone | Kennedy |
| Brawner | Kersey |
| Bray | Kinard |
| Bridgers | King |
| Brown | Klingeman |
| Bruhl | Knight |
| Bullock | Lansberry |
| Bundy | Lehman |
| Burnaman | Leyendecker |
| Carrington | Little |
| Cato | Lock |
| Chambers | Love |
| Clark | Lowry |
| Cleveland | Lucas |
| Coker | Lyle |
| Colson, Mrs. | McAlister |
| Connelly | McDonald |
| Craig | McGlasson |
| Crossley | McLellan |
| Crothwait | McNamara |
| Daniel | Manning |
| Deen | Markle |
| Dickson of Bexar | Martin |
| Dickson of Nolan | Matthews |
| Donald | Mills |
| Duckett | Montgomery |
| Dwyer | Morgan |
| Evans | Morris |
| Ellis | Murray |
| Eubank | Nicholson |
| Favors | Pace |
| Ferguson | Parker |
| Files | Pevehouse |
| Fitzgerald | Phillips |
| Fuchs | Price |
| Gandy | Rampy |
| Gilmer | Reed of Bowie |
| Goodman | Reed of Dallas |
| Hanna | Roark |
| Hardeman | Roberts |
| Hargis | Rhodes |
| Harris of Dallas | Senterfitt |
| Harris of Hill | Shell |
| Hartzog | Simpson |
| Heflin | Skiles |
| Helpinstill | Smith of Bastrop |
| Henderson | Smith of Atascosa |
| Hileman | Spacek |
| Hobbs | Spangler |
| Howard | Stanford |

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| Stinson | Wattner |
| Stubbs | Weatherford |
| Thornton | White |
| Turner | Whitesides |
| Vale | Winfree |
| Walters | |

Absent

| | |
|---------|---------|
| Bean | Halsey |
| Carlton | McCann |
| Celaya | McMurry |
| Davis | Sallas |
| Dove | Sharpe |
| Garland | Voigt |

Absent—Excused

| | |
|---------|----------|
| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

The Chair then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Dickson of Nolan:

H. B. No. 716, A bill to be entitled "An Act amending Article 3955 and Article 3959, Title 63, of the Revised Civil Statutes of 1925, so as to provide for fire escapes for school houses of two or more stories in height; and declaring an emergency."

Referred to the Committee on Education.

ADDITIONAL SIGNERS OF HOUSE BILLS

By unanimous consent of the House, the following Members were authorized to sign bills as co-authors of same, as follows:

Mr. Lock, Mr. Evans, Mr. Ferguson, Mr. Walters and Mr. Kelly: H. B. No. 284.

Mr. Stanford and Mr. Pevehouse: H. B. No. 533.

Mr. Hoyo: H. B. No. 264.

Mr. Thornton: H. B. No. 694.

Mr. Crothwait, Mr. Hanna and Mr. Stinson: H. B. No. 628.

Mr. Price and Mr. Fitzgerald: H. B. No. 373.

RELATIVE TO HOUSE BILL NO. 628

Mr. Bean was granted unanimous consent of the House to withdraw

his name from House Bill No. 628 as signer of same.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 36

Mr. Phillips submitted the following Conference Committee Report on Senate Bill No. 36:

Austin, Texas, March 4, 1941.

Hon. Coke R. Stevenson, President of the Senate,
Austin, Texas.

Hon. Homer Leonard, Speaker of the House of Representatives,
Austin, Texas.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and House of Representatives on S. B. No. 36, have had the same under consideration, and we recommend to the Senate and to the House of Representatives that Senate Bill No. 36 be not passed, and in lieu thereof that Conference Committee Substitute pass in the form attached hereto.

Respectfully submitted,

AIKIN,
MOFFETT,
METCALFE,
LEMENS,

On the part of the Senate.

PHILLIPS,
KELLY,
MURRAY,
DONALD,

On the part of the House.

S. B. No. 36,

A BILL

To Be Entitled

An Act to authorize and empower the Governor of the State of Texas to lease and demise to the United States the tract of land, known as Camp Hulen at or near Palacios, Matagorda County, Texas, now owned and held in trust by the State of Texas for the use and benefit of the 36th Division, Texas National Guard, together with such buildings, systems, fixtures, and appurtenances thereon, as he may deem advisable, and for other purposes.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That the Governor of the State of Texas be and he is hereby authorized and empowered to lease and demise to the United States for a period of one (1) year or any portion thereof, renewable at the option of the United States from year to year, upon the same terms and conditions specified in the original lease, for additional periods not to exceed the total of twenty-five (25) years, for a nominal consideration, and on such other terms and conditions as may be agreed upon by him and the duly authorized representative of the United States, those lands or any parcel of the same, now owned and held in trust by the State of Texas for the use and benefit of the 36th Division, Texas National Guard, lying and being at or near Palacios, Matagorda County, Texas, known as Camp Hulen, together with such buildings, systems, fixtures, and appurtenances thereon, as he may deem advisable.

Provided, however, that the Governor of the State of Texas shall reserve all oil, gas and mineral rights, together with the rights of ingress and egress, and to explore, drill and operate therefor; but provided further that any such operations shall not unnecessarily interfere with the uses for which this lease is granted and that no well shall be located within one hundred (100) feet of any building on the leased property without the consent of the Post Commander.

Provided, further, that the premises shall be returned in as good condition as or better than they are now, reasonable and ordinary wear and tear and damages by the elements or by circumstances over which the Government has no control excepted; and that any buildings belonging to the 36th Division, Texas National Guard, or to any of its components, including commissioned or enlisted personnel, which may be damaged or destroyed, except as provided above, by fire or otherwise, shall be either repaired or replaced, or the 36th Division, Texas National Guard, reasonably and adequately compensated therefor, but these conditions are subject to appropriations by Con-

gress, available or to become available.

Provided further, however, that any lease executed under authority of this Act shall contain a provision substantially as follows:

It is agreed and understood by the parties hereto that if the Government shall exercise its option to renew this lease on or before June 30, 1941, then the Government agrees to pay, from appropriations, available or to become available, such reasonable rental as may be mutually agreed upon by the Contracting Officer and the 36th Division for the future use of the four Post Exchange buildings, the property of the Post Exchange Council, 36th Division, Texas National Guard, two (2) regimental recreation buildings, one the property of the personnel of the 142nd Infantry, Texas National Guard, and the other the property of the personnel of the 143rd Infantry, Texas National Guard.

Notwithstanding any provision in the foregoing paragraph, no rent shall accrue under this provision for any period during which the 36th Division, Texas National Guard, is in Federal Service.

Sec. 2. That the Governor of the State of Texas is further authorized and empowered to execute any and all necessary instruments for the lease and demise of said lands to the United States and thereafter to make such changes, alterations and/or additions in and to the terms and conditions of such lease as may be agreed upon between him and the duly authorized representatives of the United States, provided, that such changes, alterations, or additions shall not extend, with renewals, the period of said lease beyond the term of twenty-five (25) years; and provided further that such changes, alterations or additions shall in all respects comply with the terms and conditions specified in Section 1 of this Act.

Sec. 3. The fact that the immediate need by the United States of Camp Hulen for military purposes creates an emergency and an imperative necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended; that said Rule is hereby suspended; and that this Act shall

take effect and be in force from and after its passage; and it is so enacted.

On motion of Mr. Phillips, the report was adopted by the following vote:

Yeas—124

| | |
|------------------|----------------|
| Allison | Hobbs |
| Alsup | Howard |
| Avant | Howington |
| Bailey | Hoyo |
| Baker | Huddleston |
| Bell | Hughes |
| Benton | Humphrey |
| Blankenship | Hutchinson |
| Boone | Isaacks |
| Brawner | Jones |
| Brown | Kelly |
| Bruhl | Kennedy |
| Bullock | Kersey |
| Bundy | King |
| Burnaman | Klingeman |
| Carlton | Knight |
| Carrington | Lansberry |
| Cato | Lehman |
| Celaya | Leyendecker |
| Clark | Little |
| Cleveland | Lock |
| Coker | Lowry |
| Colson, Mrs. | Lucas |
| Connelly | Lyle |
| Craig | McAlister |
| Crossley | McCann |
| Crosthwait | McDonald |
| Daniel | McGlasson |
| Davis | McLellan |
| Deen | McMurry |
| Dickson of Bexar | McNamara |
| Dickson of Nolan | Manning |
| Dove | Markle |
| Duckett | Martin |
| Ellis | Matthews |
| Eubank | Mills |
| Evans | Montgomery |
| Favors | Morgan |
| Ferguson | Morris |
| Files | Murray |
| Fitzgerald | Nicholson |
| Fuchs | Pace |
| Gandy | Parker |
| Garland | Pevehouse |
| Halsey | Phillips |
| Hanna | Price |
| Hargis | Rampy |
| Harris of Dallas | Reed of Bowie |
| Hartzog | Reed of Dallas |
| Heflin | Roark |
| Helpinstill | Roberts |
| Henderson | Rhodes |
| Hileman | Senterfitt |

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| Shell | Thornton |
| Simpson | Vale |
| Skiles | Voigt |
| Smith of Bastrop | Walters |
| Smith of Atascosa | Wattner |
| Spacek | Weatherford |
| Stanford | White |
| Stinson | Whitesides |
| Stubbs | Winfree |

Absent

| | |
|----------|----------------|
| Allen | Hardeman |
| Anderson | Harris of Hill |
| Bean | Huffman |
| Bray | Kinard |
| Bridgers | Love |
| Chambers | Sallas |
| Donald | Sharpe |
| Dwyer | Spangler |
| Gilmer | Turner |
| Goodman | |

Absent—Excused

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| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

RELATIVE TO HOUSE BILL
NO. 322

Mr. Turner offered the following resolution:

H. S. R. No. 139, Relative to House Bill No. 322.

Be it resolved by the House of Representatives that the Appropriations Committee be instructed by the House to report on House Bill No. 322 not later than Friday, March 7, 1941.

The resolution was read second time.

Mr. Kersey moved a call of the House pending consideration of House Simple Resolution No. 139 and the call was duly seconded.

Question recurring on the motion for the call of the House, it was lost.

Mr. Reed of Bowie moved that the Rules be suspended to permit debate on the resolution.

The motion to suspend the Rules prevailed by the following vote:

Yeas—114

| | |
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| Allen | Bailey |
| Allison | Baker |
| Anderson | Bell |
| Avant | Benton |

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| Blankenship | Kersey |
| Brawner | King |
| Brown | Klingeman |
| Bullock | Knight |
| Burnaman | Lansberry |
| Carlton | Lehman |
| Carrington | Little |
| Cato | Lock |
| Chambers | Love |
| Clark | Lowry |
| Coker | Lucas |
| Connelly | Lyle |
| Craig | McAlister |
| Crossley | McCann |
| Crosthwait | McDonald |
| Daniel | McGlasson |
| Davis | McMurry |
| Deen | McNamara |
| Dickson of Nolan | Markle |
| Donald | Martin |
| Dove | Matthews |
| Duckett | Mills |
| Dwyer | Montgomery |
| Eubank | Morgan |
| Evans | Morris |
| Favors | Murray |
| Ferguson | Pace |
| Files | Parker |
| Fitzgerald | Pevehouse |
| Fuchs | Phillips |
| Gandy | Price |
| Goodman | Rampy |
| Halsey | Reed of Bowie |
| Hardeman | Reed of Dallas |
| Hargis | Roark |
| Harris of Dallas | Roberts |
| Harris of Hill | Rhodes |
| Hartzog | Sallas |
| Heflin | Senterfitt |
| Helpinstill | Skiles |
| Henderson | Smith of Bastrop |
| Hileman | Smith of Atascosa |
| Hobbs | Spacek |
| Howard | Stanford |
| Howington | Thornton |
| Huddleston | Turner |
| Huffman | Voigt |
| Humphrey | Walters |
| Hutchinson | Wattner |
| Isaacks | Weatherford |
| Jones | White |
| Kelly | Whitesides |
| Kennedy | Winfree |

Nays—22

| | |
|-----------|------------------|
| Alsup | Colson, Mrs. |
| Boone | Dickson of Bexar |
| Bray | Ellis |
| Bridgers | Hanna |
| Bruhl | Hoyo |
| Cleveland | Hughes |

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| Kinard | Shell |
| Leyendecker | Simpson |
| McLellan | Spangler |
| Manning | Stinson |
| Nicholson | Stubbs |

Absent

| | |
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| Bean | Gilmer |
| Bundy | Sharpe |
| Celaya | Vale |
| Garland | |

Absent—Excused

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| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

Mr. Morris moved to suspend the Rules in order to permit debate on the merits of House Bill No. 322.

The motion to suspend the Rules prevailed.

Mr. Harris of Dallas raised a point of order on further consideration of the resolution at this time, on the ground that the time for the consideration of resolutions has expired.

The Chair sustained the point of order.

Mr. Lehman moved to suspend the Rules relative to the consideration of resolutions until the above resolution is disposed of.

The motion to suspend the Rules was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—65

| | |
|------------------|-------------|
| Avant | Gandy |
| Bailey | Garland |
| Baker | Hartzog |
| Burnaman | Helpinstill |
| Coker | Henderson |
| Connelly | Hobbs |
| Craig | Howington |
| Crossley | Hoyo |
| Daniel | Huddleston |
| Davis | Kennedy |
| Dickson of Bexar | Kersey |
| Donald | King |
| Dove | Klingeman |
| Duckett | Knight |
| Dwyer | Lehman |
| Ellis | Love |
| Eubank | Lucas |
| Favors | McCann |
| Ferguson | McDonald |
| Fuchs | McGlasson |

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| McLellan | Rhodes |
| McMurry | Sallas |
| McNamara | Senterfitt |
| Markle | Sharpe |
| Matthews | Smith of Bastrop |
| Morgan | Spacek |
| Murray | Stinson |
| Pace | Turner |
| Pevehouse | Voigt |
| Price | White |
| Rampy | Whitesides |
| Reed of Bowie | Winfree |
| Roark | |

Nays—60

| | |
|------------------|-------------------|
| Allen | Huffman |
| Allison | Hughes |
| Alsup | Humphrey |
| Bell | Hutchinson |
| Benton | Isaacks |
| Blankenship | Jones |
| Brawner | Kinard |
| Bray | Lansberry |
| Bridgers | Leyendecker |
| Brown | Lowry |
| Bruhl | Lyle |
| Bullock | McAlister |
| Carlton | Mills |
| Cato | Montgomery |
| Clark | Morris |
| Colson, Mrs. | Nicholson |
| Deen | Parker |
| Dickson of Nolan | Phillips |
| Evans | Reed of Dallas |
| Files | Roberts |
| Fitzgerald | Shell |
| Gilmer | Simpson |
| Halsey | Skiles |
| Hanna | Smith of Atascosa |
| Hardeman | Spangler |
| Hargis | Stanford |
| Harris of Dallas | Thornton |
| Harris of Hill | Vale |
| Heflin | Walters |
| Hileman | Weatherford |

Absent

| | |
|------------|---------|
| Anderson | Goodman |
| Bean | Howard |
| Boone | Kelly |
| Bundy | Little |
| Carrington | Lock |
| Celaya | Manning |
| Chambers | Martin |
| Cleveland | Stubbs |
| Crothwait | Wattner |

Absent—Excused

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|---------|----------|
| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

EXTENDING CONGRATULATIONS OF THE HOUSE

Mr. Gilmer offered the following resolution:

H. S. R. No. 147, Extending Congratulations of the House to the City of McAllen and Honorable Homer Leonard.

Whereas, Our distinguished Speaker, the Honorable Homer Leonard, has been called to his home town of McAllen, Texas to receive a signal honor at the hands of his friends, neighbors and constituents of McAllen, Texas, to-wit: to receive the award of "Most Valuable Citizen" of the thriving City of McAllen, Texas, with appropriate ceremony, a selection made by the service clubs and citizenship of such community; and

Whereas, This House of Representatives is gratified at such selection and wishes to appropriately express this feeling and to congratulate our Honorable Speaker;

Therefore, be it resolved, That the City of McAllen is commended for its choice and that the Chief Clerk be instructed to wire to the Honorable Homer Leonard, at McAllen, Texas, the congratulations of the entire House.

GILMER,
CELAYA,
MORSE,
CARRINGTON,
KELLY.

The resolution was read second time.

Signed—Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Cato Chamber, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Evans, Ellis, Eubank, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kennedy, Kersey, Kinard, King,

Klingeman, Knight, Lansbery, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Roark, Roberts, Rhodes, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Hardeman, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

AUTHORIZING THE LOAN OF CERTAIN HIGHWAY EQUIPMENT

The Chair laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 30, Authorizing the Loan of Certain Highway Equipment.

Whereas, The State Highway Department of Texas has a large quantity of discarded guard wire; and

Whereas, This guard wire can be used to great advantage by schools to fence their grounds for different purposes; and

Whereas, It would be a great accommodation to any school that might avail themselves of the opportunity to borrow from the State Highway Department this discarded guard wire; now, therefore, be it

Resolved, by the Senate, the House of Representatives concurring, That the State Highway Department of Texas be authorized to lend to any Independent or Common School District in the State of Texas, sufficient quantities of the discarded guard wire, if said guard wire is available, to take care of the particular case relative to any school affected by this resolution; and it is so resolved.

The resolution was read second time and was adopted.

RELATIVE TO HOUSE BILL
NO. 78

On motion of Mr. Manning and by unanimous consent of the House, the caption of House Bill No. 78 was ordered amended to conform to all changes and with the body of the bill.

RELATIVE TO HOUSE BILL
NO. 77

Mr. Stanford asked unanimous consent of the House to correct type error by omitting the word "in" beginning the next to last paragraph on page 3 of H. B. No. 77.

There was no objection offered and it was so ordered.

SENATE BILL NO. 52 ON
SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 52, A bill to be entitled "An Act making an appropriation out of any moneys in the State Treasury not otherwise appropriated for the Agricultural and Mechanical College of Texas for operating expenses of the Wool Scouring Plant at said College, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 52 ON
THIRD READING

Mr. Hardeman moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 52 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—131

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|-------------|----------|
| Allen | Boone |
| Allison | Brawner |
| Alsup | Bray |
| Avant | Bridgers |
| Bailey | Brown |
| Baker | Bruhl |
| Bell | Bullock |
| Benton | Bundy |
| Blankenship | Burnaman |

Carrington
Cato
Chambers
Clark
Cleveland
Coker
Colson, Mrs.
Connelly
Craig
Crossley
Crosthwait
Daniel
Davis
Deen
Dickson of Bexar
Dickson of Nolan
Dove
Duckett
Dwyer
Ellis
Eubank
Evans
Favors
Ferguson
Files
Fitzgerald
Fuchs
Gandy
Garland
Gilmer
Goodman
Halsey
Hanna
Hardeman
Hargis
Harris of Dallas
Harris of Hill
Heflin
Helpinstill
Henderson
Hileman
Hobbs
Howington
Hoyo
Huddleston
Huffman
Hughes
Humphrey
Hutchinson
Jones
Kelly
Kennedy
Kersey
Kinard
King
Klingeman
Knight

Lansberry
Lehman
Leyendecker
Lock
Love
Lowry
Lucas
Lyle
McAlister
McDonald
McGlasson
McLellan
McMurry
McNamara
Manning
Markle
Martin
Matthews
Mills
Montgomery
Morgan
Morris
Murray
Nicholson
Pace
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Roark
Roberts
Rhodes
Sallas
Senterfitt
Sharpe
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Spangler
Stanford
Stinson
Stubbs
Thornton
Turner
Vale
Voigt
Walters
Wattner
Weatherford
White
Whitesides

Absent

| | |
|----------|---------|
| Anderson | Celaya |
| Bean | Donald |
| Carlton | Hartzog |

Howard
Isaacks
Little

McCann
Shell
Winfree

Absent—Excused

Burkett
Manford
Moore

Ridgeway
Taylor

The Chair then laid Senate Bill No. 52 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—128

Allen
Allison
Alsup
Avant
Bailey
Baker
Bell
Benton
Blankenship
Boone
Brawner
Bray
Bridgers
Brown
Bruhl
Bullock
Bundy
Burnaman
Carlton
Carrington
Cato
Celaya
Chambers
Clark
Cleveland
Coker
Colson, Mrs.
Connelly
Craig
Crossley
Crosthwait
Daniel
Davis
Deen
Dickson of Bexar
Dickson of Nolan
Dove
Duckett
Dwyer
Ellis
Eubank
Favors
Ferguson
Files
Fitzgerald

Fuchs
Gandy
Garland
Gilmer
Halsey
Hanna
Hardeman
Hargis
Harris of Dallas
Harris of Hill
Hartzog
Heflin
Helpinstill
Henderson
Hileman
Hobbs
Howington
Hoyo
Huddleston
Huffman
Hughes
Humphrey
Hutchinson
Isaacks
Jones
Kelly
Kennedy
Kersey
King
Klingeman
Knight
Lansberry
Lehman
Leyendecker
Love
Lowry
Lucas
Lyle
McAlister
McDonald
McGlasson
McLellan
McMurry
McNamara
Markle

Martin
Matthews
Mills
Montgomery
Morris
Murray
Nicholson
Pace
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Roark
Roberts
Rhodes
Sallas

Senterfitt
Sharpe
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Spangler
Stanford
Stinson
Thornton
Turner
Vale
Voigt
Walters
Wattner
Weatherford
White
Winfree

Absent

Anderson
Bean
Donald
Evans
Goodman
Howard
Kinard
Little

Lock
McCann
Manning
Morgan
Shell
Stubbs
Whitesides

Absent—Excused

Burkett
Manford
Moore

Ridgeway
Taylor

SENATE BILL NO. 90 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 90, A bill to be entitled "An Act to authorize and empower the Governor of the State of Texas to lease and demise to the United States, the tract of land known as Camp Wolters, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 90 ON THIRD READING

Mr. Dwyer moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 90 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—132

| | |
|------------------|-------------------|
| Allen | Hobbs |
| Allison | Howington |
| Alsup | Hoyo |
| Avant | Huddleston |
| Bailey | Huffman |
| Baker | Hughes |
| Bell | Humphrey |
| Benton | Isaacks |
| Blankenship | Jones |
| Boone | Kelly |
| Brawner | Kennedy |
| Bray | Kersey |
| Bridgers | Kinard |
| Brown | King |
| Bullock | Klingeman |
| Bundy | Knight |
| Burnaman | Lansberry |
| Carlton | Lehman |
| Carrington | Leyendecker |
| Cato | Little |
| Celaya | Lock |
| Chambers | Love |
| Clark | Lowry |
| Cleveland | Lucas |
| Coker | Lyle |
| Colson, Mrs. | McAlister |
| Connelly | McDonald |
| Craig | McGlasson |
| Crossley | McLellan |
| Crosthwait | McMurry |
| Daniel | McNamara |
| Davis | Markle |
| Deen | Martin |
| Dickson of Bexar | Matthews |
| Dickson of Nolan | Mills |
| Dove | Montgomery |
| Duckett | Morris |
| Dwyer | Murray |
| Evans | Nicholson |
| Ellis | Pace |
| Eubank | Parker |
| Favors | Pevehouse |
| Ferguson | Phillips |
| Files | Price |
| Fitzgerald | Rampy |
| Fuchs | Reed of Bowie |
| Gandy | Reed of Dallas |
| Garland | Roark |
| Gilmer | Roberts |
| Halsey | Rhodes |
| Hanna | Sallas |
| Hardeman | Senterfitt |
| Hargis | Sharpe |
| Harris of Dallas | Shell |
| Harris of Hill | Simpson |
| Hartzog | Skiles |
| Heflin | Smith of Bastrop |
| Helpinstill | Smith of Atascosa |
| Henderson | Spacek |
| Hileman | Spangler |

| | |
|----------|-------------|
| Stinson | Walters |
| Stubbs | Wattner |
| Thornton | Weatherford |
| Turner | White |
| Vale | Whitesides |
| Voigt | Winfree |

Absent

| | |
|----------|------------|
| Anderson | Hutchinson |
| Bean | McCann |
| Bruhl | Manning |
| Donald | Morgan |
| Goodman | Stanford |
| Howard | |

Absent—Excused

| | |
|---------|----------|
| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

The Chair then laid Senate Bill No. 90 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—129

| | |
|------------------|------------------|
| Allen | Dickson of Nolan |
| Allison | Dove |
| Alsup | Duckett |
| Avant | Evans |
| Bailey | Ellis |
| Baker | Eubank |
| Bell | Favors |
| Benton | Ferguson |
| Blankenship | Files |
| Boone | Fitzgerald |
| Brawner | Fuchs |
| Bray | Gandy |
| Bridgers | Garland |
| Brown | Gilmer |
| Bruhl | Halsey |
| Bullock | Hanna |
| Bundy | Hardeman |
| Burnaman | Hargis |
| Carrington | Harris of Dallas |
| Cato | Harris of Hill |
| Celaya | Hartzog |
| Chambers | Heflin |
| Clark | Helpinstill |
| Cleveland | Henderson |
| Coker | Hileman |
| Colson, Mrs. | Hobbs |
| Connelly | Howington |
| Craig | Hoyo |
| Crossley | Huddleston |
| Daniel | Huffman |
| Davis | Hughes |
| Deen | Humphrey |
| Dickson of Bexar | Isaacks |

| | |
|-------------|-------------------|
| Jones | Parker |
| Kelly | Pevehouse |
| Kennedy | Phillips |
| Kersey | Price |
| King | Rampy |
| Klingeman | Reed of Bowie |
| Knight | Reed of Dallas |
| Lansberry | Roark |
| Lehman | Roberts |
| Leyendecker | Rhodes |
| Little | Sallas |
| Lock | Senterfitt |
| Love | Shell |
| Lowry | Simpson |
| Lucas | Skiles |
| Lyle | Smith of Bastrop |
| McAlister | Smith of Atascosa |
| McDonald | Spacek |
| McGlasson | Spangler |
| McLellan | Stanford |
| McMurry | Stinson |
| McNamara | Stubbs |
| Markle | Turner |
| Martin | Vale |
| Matthews | Voigt |
| Mills | Walters |
| Montgomery | Wattner |
| Morgan | Weatherford |
| Morris | White |
| Murray | Whitesides |
| Nicholson | Winfree |
| Pace | |

Absent

| | |
|------------|------------|
| Anderson | Howard |
| Bean | Hutchinson |
| Carlton | Kinard |
| Crosthwait | McCann |
| Donald | Manning |
| Dwyer | Sharpe |
| Goodman | Thornton |

Absent—Excused

| | |
|---------|----------|
| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

RELATIVE TO HOUSE SIMPLE
RESOLUTION NO. 139

Mr. Reed of Bowie moved to suspend the Rules relative to the consideration of resolutions in order that the House may take up and consider, until disposed of, House Simple Resolution No. 139.

The motion to suspend the Rules was lost by the following vote:

Yeas—59

| | |
|--------|----------|
| Bailey | Burnaman |
| Baker | Connelly |

| | |
|------------------|------------------|
| Craig | Lucas |
| Crossley | McCann |
| Daniel | McDonald |
| Davis | McGlasson |
| Deen | McLellan |
| Dickson of Bexar | McMurry |
| Donald | McNamara |
| Dove | Markle |
| Duckett | Matthews |
| Ellis | Morgan |
| Favors | Murray |
| Ferguson | Pace |
| Gandy | Parker |
| Goodman | Pevehouse |
| Harris of Hill | Price |
| Helpinstill | Rampy |
| Henderson | Reed of Bowie |
| Hoyo | Roark |
| Huddleston | Sallas |
| Huffman | Senterfitt |
| Kennedy | Smith of Bastrop |
| Kersey | Spacek |
| King | Stinson |
| Klingeman | Turner |
| Knight | Walters |
| Lehman | White |
| Lock | Whitesides |
| Love | |

Nays—69

| | |
|------------------|-------------------|
| Allen | Hanna |
| Allison | Hardeman |
| Alsup | Hargis |
| Avant | Harris of Dallas |
| Bell | Heflin |
| Benton | Hileman |
| Blankenship | Hobbs |
| Boone | Howington |
| Brawner | Hughes |
| Bray | Isaacks |
| Bridgers | Jones |
| Brown | Kelly |
| Bruhl | Lansberry |
| Bullock | Leyendecker |
| Bundy | Lyle |
| Carlton | McAlister |
| Carrington | Little |
| Cato | Manning |
| Celaya | Martin |
| Chambers | Mills |
| Clark | Montgomery |
| Coker | Morris |
| Colson, Mrs. | Nicholson |
| Dickson of Nolan | Phillips |
| Eubank | Reed of Dallas |
| Evans | Roberts |
| Files | Rhodes |
| Fitzgerald | Simpson |
| Fuchs | Skiles |
| Garland | Smith of Atascosa |
| Gilmer | Spangler |
| Halsey | Stanford |

Stubbs
Vale
Voigt

Wattner
Weatherford

Absent

| | |
|------------|------------|
| Anderson | Hutchinson |
| Bean | Kinard |
| Cleveland | Lowry |
| Crosthwait | Sharpe |
| Dwyer | Shell |
| Hartzog | Thornton |
| Howard | Winfree |
| Humphrey | |

Absent—Excused

| | |
|---------|----------|
| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

SENATE BILL NO. 92 ON
SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 92, A bill to be entitled "An Act vesting the Supreme Court with the power to make amendments or changes in the rules of practice and procedure in civil actions prior to July 1, 1941, such changes to be effective September 1, 1941, etc., and declaring an emergency."

The bill was read second time.

Mr. Gilmer offered the following committee amendment to the bill:

Amend Section 1 of S. B. No. 92 to change the date July 1, 1941, to April 1, 1941.

The committee amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 92 was then passed to third reading.

SENATE BILL NO. 92 ON
THIRD READING

Mr. Gilmer moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 92 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122

| | |
|------------------|-------------------|
| Allen | Huffman |
| Allison | Hughes |
| Alsup | Humphrey |
| Avant | Isaacks |
| Bailey | Jones |
| Baker | Kelly |
| Bean | Kennedy |
| Bell | Kersey |
| Benton | King |
| Blankenship | Klingeman |
| Bray | Knight |
| Bridgers | Lansberry |
| Brown | Lehman |
| Bruhl | Leyendecker |
| Bullock | Little |
| Bundy | Lock |
| Carlton | Love |
| Carrington | Lucas |
| Cato | Lyle |
| Chambers | McAlister |
| Clark | McCann |
| Cleveland | McDonald |
| Coker | McGlasson |
| Colson, Mrs. | McLellan |
| Connelly | McMurry |
| Craig | McNamara |
| Crossley | Markle |
| Daniel | Martin |
| Davis | Matthews |
| Deen | Mills |
| Dickson of Bexar | Montgomery |
| Dickson of Nolan | Morgan |
| Donald | Morris |
| Dove | Murray |
| Duckett | Pace |
| Ellis | Parker |
| Eubank | Pevehouse |
| Evans | Phillips |
| Favors | Price |
| Ferguson | Rampy |
| Files | Reed of Bowie |
| Fitzgerald | Reed of Dallas |
| Fuchs | Roark |
| Garland | Roberts |
| Gilmer | Rhodes |
| Halsey | Sallas |
| Hanna | Senterfitt |
| Hardeman | Simpson |
| Hargis | Skiles |
| Harris of Dallas | Smith of Atascosa |
| Heflin | Spacek |
| Helpinstill | Spangler |
| Henderson | Stanford |
| Hileman | Stinson |
| Hobbs | Stubbs |
| Howington | Turner |
| Hoyo | Vale |
| Huddleston | Voigt |

Walters
Wattner
Weatherford

White
Whitesides
Winfree

Absent

| | |
|----------------|------------------|
| Anderson | Howard |
| Boone | Hutchinson |
| Brawner | Kinard |
| Burnaman | Lowry |
| Celaya | Manning |
| Crosthwait | Nicholson |
| Dwyer | Sharpe |
| Gandy | Shell |
| Goodman | Smith of Bastrop |
| Harris of Hill | Thornton |
| Hartzog | |

Absent—Excused

| | |
|---------|----------|
| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

The Chair then laid Senate Bill No. 92 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—125

| | |
|------------------|------------------|
| Allen | Donald |
| Allison | Dove |
| Anderson | Duckett |
| Avant | Ellis |
| Bailey | Eubank |
| Baker | Evans |
| Bell | Favors |
| Benton | Ferguson |
| Blankenship | Files |
| Bray | Fitzgerald |
| Bridgers | Fuchs |
| Brown | Garland |
| Bruhl | Gilmer |
| Bullock | Halsey |
| Bundy | Hanna |
| Burnaman | Hardeman |
| Carlton | Hargis |
| Carrington | Harris of Dallas |
| Cato | Hartzog |
| Chambers | Heflin |
| Clark | Helpinstill |
| Cleveland | Henderson |
| Coker | Hileman |
| Colson, Mrs. | Hobbs |
| Connelly | Howington |
| Craig | Hoyo |
| Crossley | Huddleston |
| Daniel | Huffman |
| Davis | Hughes |
| Deen | Humphrey |
| Dickson of Bexar | Isaacks |
| Dickson of Nolan | Jones |

| | |
|-------------|-------------------|
| Kelly | Parker |
| Kennedy | Pevehouse |
| Kersey | Phillips |
| King | Price |
| Klingeman | Rampy |
| Knight | Reed of Bowie |
| Lansberry | Reed of Dallas |
| Lehman | Roark |
| Leyendecker | Roberts |
| Little | Rhodes |
| Lock | Sallas |
| Love | Senterfitt |
| Lucas | Simpson |
| Lyle | Skiles |
| McAlister | Smith of Atascosa |
| McCann | Spacek |
| McDonald | Spangler |
| McGlasson | Stanford |
| McLellan | Stinson |
| McMurry | Stubbs |
| McNamara | Thornton |
| Markle | Turner |
| Martin | Vale |
| Matthews | Voigt |
| Mills | Walters |
| Montgomery | Wattner |
| Morgan | Weatherford |
| Morris | White |
| Murray | Whitesides |
| Nicholson | Winfree |
| Pace | |

Absent

| | |
|------------|------------------|
| Alsup | Harris of Hill |
| Bean | Howard |
| Boone | Hutchinson |
| Brawner | Kinard |
| Celaya | Lowry |
| Crosthwait | Manning |
| Dwyer | Sharpe |
| Gandy | Shell |
| Goodman | Smith of Bastrop |

Absent—Excused

| | |
|---------|----------|
| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

SENATE BILL NO. 144 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 144, A bill to be entitled "An Act amending Article 1133 of the Revised Civil Statutes of Texas, 1925, by changing the words 'four hundred' (400) to 'two hundred' (200) and providing that when a town or village may contain more

than two hundred (200); etc.; and declaring an emergency."

The bill was read second time.

Mr. Simpson offered the following amendment to the bill:

Amend S. B. No. 144 by striking out the words "may contain" in fourth line and substitute the word "contains."

The amendment was adopted.

Senate Bill No. 144 was then passed to third reading.

SENATE BILL NO. 144 ON THIRD READING

Mr. Simpson moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 144 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—125

| | |
|--------------|------------------|
| Allen | Deen |
| Allison | Dickson of Nolan |
| Alsup | Donald |
| Anderson | Dove |
| Avant | Duckett |
| Bailey | Ellis |
| Baker | Eubank |
| Bell | Evans |
| Benton | Favors |
| Blankenship | Ferguson |
| Boone | Files |
| Brawner | Fitzgerald |
| Bray | Fuchs |
| Bridgers | Gandy |
| Brown | Garland |
| Bruhl | Gilmer |
| Bullock | Goodman |
| Bundy | Halsey |
| Burnaman | Hanna |
| Carlton | Hardeman |
| Carrington | Hargis |
| Cato | Harris of Dallas |
| Chambers | Hartzog |
| Clark | Heflin |
| Cleveland | Helpinstill |
| Coker | Henderson |
| Colson, Mrs. | Hileman |
| Connelly | Hobbs |
| Craig | Hoyo |
| Crossley | Huddleston |
| Crothwait | Huffman |
| Daniel | Hughes |
| Davis | Humphrey |

| | |
|-------------|-------------------|
| Jones | Pace |
| Kelly | Parker |
| Kennedy | Pevehouse |
| Kersey | Phillips |
| King | Price |
| Klingeman | Rampy |
| Knight | Reed of Bowie |
| Lansberry | Reed of Dallas |
| Leyendecker | Roark |
| Little | Roberts |
| Lock | Rhodes |
| Love | Senterfitt |
| Lowry | Shell |
| Lucas | Simpson |
| Lyle | Skiles |
| McAlister | Smith of Atascosa |
| McCann | Spacek |
| McDonald | Spangler |
| McGlasson | Stinson |
| McMurry | Stubbs |
| McNamara | Turner |
| Markle | Vale |
| Martin | Voigt |
| Matthews | Walters |
| Mills | Wattner |
| Montgomery | Weatherford |
| Morgan | White |
| Morris | Whitesides |
| Murray | Winfree |
| Nicholson | |

Absent

| | |
|------------------|------------------|
| Bean | Kinard |
| Celaya | Lehman |
| Dickson of Bexar | McLellan |
| Dwyer | Manning |
| Harris of Hill | Sallas |
| Howard | Sharpe |
| Howington | Smith of Bastrop |
| Hutchinson | Stanford |
| Isaacks | Thornton |

Absent—Excused

| | |
|---------|----------|
| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

The Chair then laid Senate Bill No. 144 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—125

| | |
|----------|-------------|
| Allen | Baker |
| Allison | Bell |
| Alsup | Benton |
| Anderson | Blankenship |
| Avant | Boone |
| Bailey | Brawner |

| | |
|------------------|-------------------|
| Bray | Leyendecker |
| Bridgers | Little |
| Brown | Lock |
| Bruhl | Love |
| Bullock | Lowry |
| Bundy | Lucas |
| Burnaman | Lyle |
| Carlton | McAlister |
| Carrington | McCann |
| Cato | McDonald |
| Chambers | McGlasson |
| Clark | McLellan |
| Cleveland | McMurry |
| Coker | McNamara |
| Colson, Mrs. | Manning |
| Connelly | Markle |
| Craig | Martin |
| Crossley | Matthews |
| Crosthwait | Mills |
| Daniel | Montgomery |
| Davis | Morgan |
| Deen | Morris |
| Dickson of Bexar | Murray |
| Donald | Nicholson |
| Evans | Pace |
| Ellis | Parker |
| Eubank | Pevehouse |
| Favors | Phillips |
| Ferguson | Price |
| Files | Rampy |
| Fitzgerald | Reed of Bowie |
| Fuchs | Reed of Dallas |
| Gandy | Roark |
| Garland | Roberts |
| Goodman | Rhodes |
| Halsey | Sallas |
| Hanna | Senterfitt |
| Hardeman | Shell |
| Hargis | Simpson |
| Harris of Dallas | Skiles |
| Heflin | Smith of Bastrop |
| Helpinstill | Smith of Atascosa |
| Hileman | Spacek |
| Hobbs | Spangler |
| Hoyo | Stanford |
| Huddleston | Stinson |
| Huffman | Stubbs |
| Hughes | Turner |
| Humphrey | Vale |
| Kelly | Voigt |
| Kennedy | Walters |
| Kersey | Wattner |
| Kinard | Weatherford |
| Klingeman | White |
| Knight | Whitesides |
| Lansberry | Winfree |
| Lehman | |

Absent

| | |
|------------------|---------|
| Bean | Dove |
| Celaya | Duckett |
| Dickson of Nolan | Dwyer |

| | |
|----------------|------------|
| Gilmer | Hutchinson |
| Harris of Hill | Isaacks |
| Hartzog | Jones |
| Henderson | King |
| Howard | Sharpe |
| Howington | Thornton |

Absent—Excused

| | |
|---------|----------|
| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

Mr. Simpson moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 86 ON
SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 86, A bill to be entitled "An Act to amend Chapter 482, Acts of the 44th Legislature, Third Called Session, 1936, page 1993, as amended by Acts of the 45th Legislature, 1937, Chapter 67, page 121, and as amended by Acts of the 46th Legislature, 1939, page 436, so as to make the Texas Unemployment Compensation Law conform to amendments made by the Congress of the United States in 1939 to the Federal Social Security Act, providing additional definitions of the term 'employment,' providing for certain exceptions so that the term 'employment' will not include services performed in any calendar quarter by one in the employ of any organization exempt from the payment of income tax under Section 101 of the Internal Revenue Code, providing that the term 'employment' shall not include services performed by an individual as an insurance agent or as an insurance solicitor if such service is performed for remuneration solely by way of commission, providing that, if any portion of this Act shall be declared unconstitutional and invalid, the remainder shall not be affected thereby, and, further, declaring an emergency."

The bill was read second time.

On motion of Mr. Anderson,

House Bill No. 86 was set for special order at 11:00 o'clock a. m. next Tuesday, March 11.

HOUSE BILL NO. 90 ON
SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 90, A bill to be entitled "An Act to license and regulate persons engaging in the business of constructing, reconstructing, repairing, altering, installing or adjusting weights, scales or weighing devices; providing for registration fees and for examinations of applicants for licenses; providing for issuance of renewal licenses on payment of renewal fees; providing for the deposit of fees in the State Treasury; providing that a firm, partnership, corporation, company or association may engage in the business of scale repairman in this State, if such business is carried on by only scale repairmen licensed and registered in this State; providing for the keeping of certain records; providing for enforcement of the Act including the promulgation of rules and regulations not inconsistent herewith by the Commissioner of Agriculture; providing for the revocation and suspension of licenses; providing certain exemptions; providing penalties for violation of the Act; repealing all laws in conflict; including a saving clause; and prescribing the effective date."

The bill was read second time.

Mr. Fuchs offered the following amendment to the bill:

Amend H. B. No. 90, Section 10, by inserting the following at the end thereof:

"If the accused desires the evidence to be preserved and shall so inform the Commissioner before the hearing is begun and shall deposit with the Commissioner such a sum of money as he may deem reasonably necessary for the employment of a stenographer, then the Commissioner shall employ such stenographer and when so employed he shall be the official stenographer of the Commissioner for the purpose of reporting the evidence and proceedings of the hearing.

When the Commissioner has completed such hearing he shall make a record of his findings and order and shall cause a certified copy thereof to be forwarded to the accused.

Any person who may feel himself aggrieved by reason of the revocation or suspension of his license by the Commissioner, as hereinabove authorized, shall have the right to file suit within thirty (30) days after receiving notice of the Commissioner's order revoking or suspending his license in the district court of the county of his residence, or of the county in which the alleged offense relied upon as grounds for revocation or suspension took place, to annul or vacate the order of the Commissioner revoking or suspending the license. Said suit shall be filed against the Commissioner as defendant and the suit shall be tried as other civil cases, the burden of proof revolving upon the plaintiff assailing the order of revocation or suspension.

The Commissioner, for reasons he may deem sufficient, may reissue a license to any person whose license has been revoked."

MOORE,
FUCHS.

The amendment was adopted.

Mr. Sharpe moved that House Bill No. 90 be tabled.

The motion to table was lost.

Mr. Sharpe moved that further consideration of House Bill No. 90 be postponed until 11:00 o'clock a. m. next April 15.

Mr. Fuchs moved to table the motion to postpone.

The motion to table prevailed.

Mr. Sharpe moved that House Bill No. 90 be recommitted to the Committee on Agriculture.

Mr. Fuchs moved to table the motion to recommit.

The motion to table prevailed.

Mr. Howington moved the previous question on the engrossment of House Bill No. 90 and the motion was not seconded.

(Pending consideration of the bill, Mr. Harris of Dallas occupied the Chair temporarily.)

(Mr. Morse in the Chair.)

Mr. Kennedy offered the following amendment to the bill:

Amend H. B. No. 90, Section 13, line 12, by striking out the words and figures five (\$5.00) and inserting in lieu thereof the words and figures one (\$1.00).

The amendment was adopted.

Mr. Spacek offered the following amendment to the bill:

Amend House Bill No. 90 by striking out the following words in line 27-28- and 29 on Page 5:

"Who shall be allowed an additional salary, payable out of fees collected of fifty dollars (\$50.00) per month for so doing."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 90 was then passed to engrossment.

BILLS ORDERED NOT PRINTED

(By unanimous consent.)

On motion of Mr. Gilmer, Senate Bill No. 136 was ordered not printed.

On motion of Mr. Skiles, House Bill No. 593 was ordered not printed.

SENATE BILL NO. 136 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 136, A bill to be entitled "An Act to make continuance of cases wherein a party or attorney is a Member of Legislature, mandatory, etc.; and declaring an emergency."

The bill was read second time.

Mr. Kersey raised a point of order on further consideration of S. B. No. 136 on the ground that the bill violates certain Constitutional provisions.

The Chair overruled the point of order.

Mr. Kersey moved that further consideration of Senate Bill No. 136 be postponed until next March 10 at 10:00 o'clock a. m.

Mr. Harris of Dallas moved to table the motion to postpone.

The motion to table prevailed.

Senate Bill No. 136 was then passed to third reading.

MOTION TO PLACE SENATE BILL NO. 136 ON THIRD READING

Mr. Gilmer moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 136 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—101

| | |
|------------------|------------------|
| Allen | Files |
| Allison | Fuchs |
| Alsup | Gilmer |
| Anderson | Halsey |
| Avant | Hanna |
| Baker | Hargis |
| Bean | Harris of Dallas |
| Bell | Hartzog |
| Benton | Heflin |
| Blankenship | Helpinstill |
| Boone | Henderson |
| Brown | Howard |
| Bruhl | Hoyo |
| Bullock | Huddleston |
| Bundy | Hughes |
| Burnaman | Hutchinson |
| Carlton | Isaacks |
| Carrington | Jones |
| Cato | Kennedy |
| Clark | Kinard |
| Coker | Klingeman |
| Connelly | Knight |
| Crossley | Lansberry |
| Crosthwait | Leyendecker |
| Daniel | Little |
| Davis | Love |
| Dickson of Nolan | Lowry |
| Dove | Lucas |
| Duckett | Lyle |
| Dwyer | McAlister |
| Eubank | McGlasson |
| Favors | McMurry |
| Ferguson | McNamara |

| | |
|----------------|-------------------|
| Manning | Shell |
| Markle | Simpson |
| Martin | Skiles |
| Matthews | Smith of Bastrop |
| Mills | Smith of Atascosa |
| Montgomery | Spacek |
| Morgan | Spangler |
| Morris | Stinson |
| Murray | Stubbs |
| Pevehouse | Thornton |
| Phillips | Turner |
| Price | Vale |
| Reed of Bowie | Voigt |
| Reed of Dallas | Weatherford |
| Roark | White |
| Rhodes | Whitesides |
| Sallas | Winfree |
| Senterfitt | |

Nays—26

| | |
|------------------|-----------|
| Bailey | Hobbs |
| Brawner | Howington |
| Chambers | Huffman |
| Cleveland | Kersey |
| Craig | King |
| Deen | Lock |
| Dickson of Bexar | McLellan |
| Donald | Pace |
| Ellis | Parker |
| Fitzgerald | Rampy |
| Gandy | Roberts |
| Garland | Walters |
| Hileman | Wattner |

Absent

| | |
|----------------|-----------|
| Bray | Humphrey |
| Bridgers | Kelly |
| Celaya | Lehman |
| Colson, Mrs. | McCann |
| Evans | McDonald |
| Goodman | Nicholson |
| Hardeman | Sharpe |
| Harris of Hill | Stanford |

Absent—Excused

| | |
|---------|----------|
| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

SENATE BILL NO. 136 ON THIRD READING

Mr. Isaacks moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 136 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

| | |
|------------------|-------------------|
| Allen | Hughes |
| Allison | Humphrey |
| Alsup | Hutchinson |
| Anderson | Isaacks |
| Avant | Jones |
| Baker | Kennedy |
| Bean | Kinard |
| Bell | Klingeman |
| Benton | Knight |
| Blankenship | Lansberry |
| Bridgers | Leyendecker |
| Brown | Little |
| Bruhl | Lock |
| Bullock | Love |
| Bundy | Lucas |
| Burnaman | Lyle |
| Carlton | McAlister |
| Carrington | McGlasson |
| Cato | McNamara |
| Chambers | Manning |
| Clark | Markle |
| Coker | Martin |
| Connelly | Matthews |
| Crossley | Mills |
| Crosthwait | Montgomery |
| Daniel | Morgan |
| Davis | Morris |
| Deen | Murray |
| Dickson of Bexar | Pace |
| Dickson of Nolan | Pevehouse |
| Donald | Phillips |
| Dove | Price |
| Duckett | Rampy |
| Dwyer | Reed of Bowie |
| Ellis | Reed of Dallas |
| Eubank | Roark |
| Evans | Roberts |
| Favors | Sallas |
| Ferguson | Senterfitt |
| Files | Shell |
| Fuchs | Simpson |
| Gilmer | Skiles |
| Hanna | Smith of Bastrop |
| Hardeman | Smith of Atascosa |
| Hargis | Spacek |
| Harris of Dallas | Spangler |
| Harris of Hill | Stanford |
| Hartzog | Stinson |
| Heflin | Stubbs |
| Helpinstill | Thornton |
| Henderson | Turner |
| Hobbs | Vale |
| Howard | Voigt |
| Howington | Weatherford |
| Hoyo | White |
| Huddleston | Whitesides |
| Huffman | Winfree |

Nays—14

| | |
|--------|-----------|
| Bailey | Cleveland |
|--------|-----------|

Craig
Fitzgerald
Gandy
Garland
Hileman
Kersey

King
Lowry
McLellan
Parker
Walters
Wattner

Absent

Boone
Brawner
Bray
Celaya
Colson, Mrs.
Goodman
Halsey
Kelly

Lehman
McCann
McDonald
McMurry
Nicholson
Rhodes
Sharpe

Absent—Excused

Burkett
Manford
Moore

Ridgeway
Taylor

The Chair then laid Senate Bill No. 136 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—93

Allen
Allison
Alsup
Anderson
Avant
Baker
Bean
Bell
Benton
Blankenship
Boone
Brown
Bundy
Burnaman
Carlton
Carrington
Cato
Clark
Coker
Connelly
Crossley
Crosthwait
Daniel
Davis
Dickson of Nolan
Dove
Duckett
Dwyer
Eubank
Evans
Favors

Fuchs
Gilmer
Hanna
Hargis
Harris of Dallas
Harris of Hill
Hartzog
Hefin
Helpinstill
Henderson
Howard
Hoyo
Huddleston
Hughes
Hutchinson
Jones
Kelly
Kennedy
Kinard
Klingeman
Knight
Lansberry
Leyendecker
Little
Love
Lowry
Lucas
Lyle
McAlister
McGlasson
McNamara

Manning
Markle
Martin
Matthews
Montgomery
Morgan
Morris
Murray
Pevehouse
Phillips
Price
Reed of Bowie
Reed of Dallas
Roark
Rhodes
Sallas

Senterfitt
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spangler
Stanford
Stinson
Turner
Vale
Voigt
Weatherford
White
Whitesides
Winfree

Nays—29

Bailey
Bridgers
Chambers
Cleveland
Craig
Deen
Dickson of Bexar
Donald
Ellis
Fitzgerald
Gandy
Garland
Hileman
Hobbs
Howington

Huffman
Humphrey
Isaacks
Kersey
King
Lock
McLellan
Pace
Parker
Rampy
Roberts
Spacek
Walters
Wattner

Absent

Brawner
Bray
Bruhl
Bullock
Celaya
Colson, Mrs.
Ferguson
Files
Goodman
Halsey
Hardeman

Lehman
McCann
McDonald
McMurry
Mills
Nicholson
Sharpe
Shell
Stubbs
Thornton

Absent—Excused

Burkett
Manford
Moore

Ridgeway
Taylor

Mr. Harris of Dallas moved to reconsider the vote by which Senate Bill No. 136 was passed.

Mr. Kersey moved to table the motion to reconsider.

The motion to table was lost.

Question then recurring on the

motion to reconsider the vote by which Senate Bill No. 136 was passed, it prevailed.

Question: Shall Senate Bill No. 136 be passed?

Senate Bill No. 136 was then passed by the following vote:

Yeas—109

| | |
|------------------|-------------------|
| Allen | Huffman |
| Allison | Hughes |
| Alsup | Hutchinson |
| Anderson | Jones |
| Avant | Kelly |
| Baker | Kennedy |
| Bean | Kinard |
| Bell | Klingeman |
| Benton | Knight |
| Blankenship | Lansberry |
| Boone | Lehman |
| Bray | Little |
| Bridgers | Love |
| Brown | Lowry |
| Bruhl | Lucas |
| Bundy | Lyle |
| Burnaman | McAlister |
| Carlton | McDonald |
| Carrington | McGlasson |
| Cato | McLellan |
| Chambers | McNamara |
| Clark | Manning |
| Cleveland | Markle |
| Coker | Martin |
| Connelly | Matthews |
| Crossley | Montgomery |
| Crosthwait | Morgan |
| Daniel | Morris |
| Davis | Murray |
| Dickson of Nolan | Pace |
| Dove | Parker |
| Duckett | Revehouse |
| Dwyer | Phillips |
| Ellis | Price |
| Eubank | Reed of Bowie |
| Evans | Reed of Dallas |
| Favors | Roark |
| Ferguson | Roberts |
| Gilmer | Sallas |
| Halsey | Senterfitt |
| Hanna | Shell |
| Hargis | Simpson |
| Harris of Dallas | Skiles |
| Harris of Hill | Smith of Bastrop |
| Hartzog | Smith of Atascosa |
| Heflin | Spacek |
| Helpinstill | Spangler |
| Henderson | Stanford |
| Howard | Stinson |
| Hoyo | Stubbs |
| Huddleston | Thornton |

Turner
Vale
Voigt
Weatherford

White
Whitesides
Winfree

Nays—20

| | |
|------------------|-----------|
| Bailey | Hobbs |
| Craig | Howington |
| Deen | Isaacks |
| Dickson of Bexar | Kersey |
| Donald | King |
| Fitzgerald | Lock |
| Fuchs | Rampy |
| Gandy | Rhodes |
| Garland | Walters |
| Hileman | Wattner |

Absent

| | |
|--------------|-------------|
| Brawner | Humphrey |
| Bullock | Leyendecker |
| Celaya | McCann |
| Colson, Mrs. | McMurry |
| Files | Mills |
| Goodman | Nicholson |
| Hardeman | Sharpe |

Absent—Excused

| | |
|---------|----------|
| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

HOUSE BILL NO. 124 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 124, A bill to be entitled "An Act to amend Article 4629 of the Revised Civil Statutes of Texas, as amended, by striking out certain words therein, and providing for an emergency."

The bill was read second time.

Mr. Hardeman offered the following committee amendment to the bill:

Amend House Bill No. 124, Section 1, by adding at the end of the section the following:

"(6) When either the husband or wife has become permanently insane; provided, however, that no divorce shall be granted unless such insane person shall have been duly and legally adjudged to be insane and confined in a public or private insane asylum or other institution

for psychopathic patients of this State, or of a sister State, for at least three (3) years next preceding the commencement of the action for divorce, nor unless it shall appear to the Court that such insanity is permanent and incurable; and, provided, further that a decree granted on this ground shall not release the successful party from contributing to the support and maintenance of the defendant; and, provided, further that the Court in which such action is about to be commenced shall, upon the filing by the plaintiff of a petition duly verified, show a cause of action on this ground, shall appoint some suitable person to act as guardian ad litem of such insane person in such action, and the citation and a certified copy of the petition in such action shall be served upon the defendant by delivering a copy of such citation and petition to such guardian ad litem; and provided further that no divorce shall be granted on this ground except in the presence of such guardian ad litem; and, provided further that in any action brought upon this ground the said Court and the Judge thereof shall possess all the powers relative to the distribution of property and the care and custody of the children of the parties, as such Court now has or may hereafter have in other actions for divorce; and, provided further that all of the cost of the Court in such action, together with the expenses and fees of the guardian ad litem therein, shall be paid by the plaintiff; such expenses and fees of the guardian ad litem shall be fixed and allowed by the Court, and the Court or the Judge thereof may make such order as to the payment of such fees and expenses as to said Court or Judge may seem proper."

HARDEMAN,
ISAACKS.

The committee amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 124 was then passed to engrossment.

HOUSE BILL NO. 124 ON THIRD READING

Mr. Smith of Atascosa moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 124 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

| | |
|------------------|----------------|
| Allen | Heflin |
| Allison | Helpinstill |
| Alsup | Henderson |
| Anderson | Hileman |
| Avant | Howard |
| Bailey | Howington |
| Baker | Hoyo |
| Bean | Huffman |
| Benton | Hughes |
| Blankenship | Humphrey |
| Boone | Hutchinson |
| Brawner | Isaacks |
| Bridgers | Jones |
| Brown | Kelly |
| Bruhl | Kennedy |
| Bullock | Kersey |
| Bundy | Kinard |
| Burnaman | King |
| Carrington | Klingeman |
| Cato | Knight |
| Chambers | Lansberry |
| Clark | Lehman |
| Cleveland | Leyendecker |
| Coker | Little |
| Colson, Mrs. | Lock |
| Connelly | Love |
| Craig | Lucas |
| Crossley | Lyle |
| Crothwait | McAlister |
| Deen | McDonald |
| Dickson of Bexar | McGlasson |
| Dickson of Nolan | McNamara |
| Duckett | Manning |
| Dwyer | Markle |
| Ellis | Martin |
| Eubank | Matthews |
| Evans | Mills |
| Favors | Montgomery |
| Ferguson | Morgan |
| Fitzgerald | Morris |
| Gandy | Murray |
| Gilmer | Parker |
| Goodman | Pevehouse |
| Hanna | Price |
| Hardeman | Rampy |
| Hargis | Reed of Bowie |
| Harris of Dallas | Reed of Dallas |
| Hartzog | Roark |

| | |
|-------------------|-------------|
| Roberts | Stinson |
| Sallas | Stubbs |
| Senterfitt | Thornton |
| Shell | Turner |
| Simpson | Vale |
| Skiles | Voigt |
| Smith of Atascosa | Weatherford |
| Spacek | White |
| Spangler | Whitesides |
| Stanford | Winfree |

Nays—7

| | |
|--------|----------|
| Bell | McLellan |
| Bray | Pace |
| Donald | Walters |
| Hobbs | |

Absent

| | |
|----------------|------------------|
| Carlton | Huddleston |
| Celaya | Lowry |
| Daniel | McCann |
| Davis | McMurry |
| Dove | Nicholson |
| Files | Phillips |
| Fuchs | Rhodes |
| Garland | Sharpe |
| Halsey | Smith of Bastrop |
| Harris of Hill | Wattner |

Absent—Excused

| | |
|---------|----------|
| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

The Chair then laid House Bill No. 124 before the House on third reading and final passage.

The bill was read third time.

Mr. Winfree offered the following amendment to the bill:

Amend House Bill No. 124 by striking out the figure "3" in line 18 and substituting the figure "7."

The amendment was adopted.

House Bill No. 124 was then passed by the following vote:

Yeas—109

| | |
|-------------|------------|
| Allison | Bridgers |
| Alsup | Brown |
| Anderson | Bruhl |
| Avant | Bundy |
| Bailey | Burnaman |
| Benton | Carrington |
| Blankenship | Cato |
| Boone | Chambers |
| Brawner | Clark |

| |
|------------------|
| Cleveland |
| Coker |
| Connelly |
| Craig |
| Crosthwait |
| Daniel |
| Deen |
| Dickson of Bexar |
| Dickson of Nolan |
| Donald |
| Duckett |
| Dwyer |
| Ellis |
| Eubank |
| Evans |
| Favors |
| Ferguson |
| Fuchs |
| Gandy |
| Goodman |
| Hanna |
| Hardeman |
| Hargis |
| Harris of Dallas |
| Hartzog |
| Heflin |
| Helpinstill |
| Henderson |
| Hobbs |
| Howard |
| Howington |
| Hoyo |
| Huffman |
| Hughes |
| Humphrey |
| Hutchinson |
| Isaacks |
| Jones |
| Kelly |
| Kennedy |
| Kinard |
| Klingeman |
| Knight |
| Lehman |
| Leyendecker |
| Little |

| |
|-------------------|
| Lock |
| Love |
| Lowry |
| Lucas |
| Lyle |
| McAlister |
| McDonald |
| Manning |
| Markle |
| Martin |
| Matthews |
| Mills |
| Montgomery |
| Morgan |
| Morris |
| Murray |
| Parker |
| Pevenhouse |
| Phillips |
| Price |
| Rampy |
| Reed of Bowie |
| Reed of Dallas |
| Roark |
| Roberts |
| Rhodes |
| Sallas |
| Senterfitt |
| Shell |
| Simpson |
| Skiles |
| Smith of Bastrop |
| Smith of Atascosa |
| Spacek |
| Spangler |
| Stanford |
| Stinson |
| Stubbs |
| Thornton |
| Vale |
| Wattner |
| Weatherford |
| White |
| Whitesides |
| Winfree |

Nays—14

| | |
|------------|-----------|
| Allen | Kersey |
| Baker | Lansberry |
| Bell | McGlasson |
| Bray | McLellan |
| Crossley | McNamara |
| Fitzgerald | Pace |
| Hileman | Walters |

Absent

| | |
|---------|--------------|
| Bean | Colson, Mrs. |
| Bullock | Davis |
| Carlton | Dove |
| Celaya | Files |

| | |
|----------------|-----------|
| Garland | McCann |
| Gilmer | McMurry |
| Halsey | Nicholson |
| Harris of Hill | Sharpe |
| Huddleston | Turner |
| King | Voigt |

Absent—Excused

| | |
|---------|----------|
| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

Mr. Smith of Atascosa moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 482 ON SECOND READING

(By unanimous consent.)

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 482, A bill to be entitled "An Act validating certain bonds heretofore authorized to be issued under the authority of Chapter 83 of the Acts of the First Called Session of the Forty-first Legislature in reference to acquisition of lands by cities and counties for airport purposes, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 482 ON THIRD READING

Mr. Hardeman moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 482 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—127

| | |
|----------|-------------|
| Allen | Bell |
| Allison | Benton |
| Alsup | Blankenship |
| Anderson | Boone |
| Avant | Brawner |
| Bailey | Bray |
| Baker | Bridgers |
| Bean | Brown |

| | |
|------------------|-------------------|
| Bruhl | Klingeman |
| Bundy | Knight |
| Carlton | Lansberry |
| Carrington | Lehman |
| Cato | Leyendecker |
| Celaya | Little |
| Chambers | Lock |
| Clark | Love |
| Cleveland | Lowry |
| Coker | Lucas |
| Colson, Mrs. | Lyle |
| Connelly | McAlister |
| Craig | McDonald |
| Crossley | McGlasson |
| Crosthwait | McLellan |
| Daniel | McNamara |
| Deen | Manning |
| Dickson of Bexar | Markle |
| Dickson of Nolan | Martin |
| Donald | Matthews |
| Duckett | Mills |
| Dwyer | Montgomery |
| Ellis | Morgan |
| Eubank | Morris |
| Evans | Murray |
| Favors | Pace |
| Ferguson | Parker |
| Files | Pevehouse |
| Fitzgerald | Phillips |
| Gandy | Price |
| Gilmer | Rampy |
| Goodman | Reed of Bowie |
| Halsey | Reed of Dallas |
| Hanna | Roark |
| Hardeman | Roberts |
| Hargis | Senterfitt |
| Harris of Dallas | Shell |
| Heflin | Simpson |
| Helpinstill | Skiles |
| Henderson | Smith of Atascosa |
| Hileman | Spacek |
| Hobbs | Spangler |
| Howard | Stanford |
| Howington | Stinson |
| Hoyo | Stubbs |
| Huffman | Thornton |
| Hughes | Turner |
| Humphrey | Vale |
| Hutchinson | Voigt |
| Isaacks | Walters |
| Jones | Wattner |
| Kelly | Weatherford |
| Kennedy | White |
| Kersey | Whitesides |
| Kinard | Winfree |
| King | |

Absent

| | |
|----------|---------|
| Bullock | Dove |
| Burnaman | Fuchs |
| Davis | Garland |

| | |
|----------------|------------------|
| Harris of Hill | Nicholson |
| Hartzog | Rhodes |
| Huddleston | Sallas |
| McCann | Sharpe |
| McMurry | Smith of Bastrop |

Absent—Excused

| | |
|---------|----------|
| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

The Chair then laid House Bill No. 482 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—127

| | |
|------------------|------------------|
| Allen | Favors |
| Allison | Ferguson |
| Alsup | Files |
| Anderson | Fitzgerald |
| Avant | Gandy |
| Bailey | Gilmer |
| Baker | Goodman |
| Bean | Halsey |
| Bell | Hanna |
| Benton | Hardeman |
| Blankenship | Hargis |
| Brawner | Harris of Dallas |
| Boone | Heflin |
| Bray | Helpinstill |
| Bridgers | Henderson |
| Brown | Hileman |
| Bruhl | Hobbs |
| Bundy | Howard |
| Carlton | Howington |
| Carrington | Hoyo |
| Cato | Huffman |
| Celaya | Hughes |
| Chambers | Humphrey |
| Clark | Hutchinson |
| Cleveland | Isaacks |
| Coker | Jones |
| Colson, Mrs. | Kelly |
| Connelly | Kennedy |
| Craig | Kersey |
| Crossley | Kinard |
| Crosthwait | King |
| Daniel | Klingeman |
| Deen | Knight |
| Dickson of Bexar | Lansberry |
| Dickson of Nolan | Lehman |
| Donald | Leyendecker |
| Duckett | Little |
| Dwyer | Lock |
| Ellis | Love |
| Eubank | Lowry |
| Evans | Lucas |

| | |
|----------------|-------------------|
| Lyle | Roark |
| McAlister | Roberts |
| McDonald | Senterfitt |
| McGlasson | Shell |
| McLellan | Simpson |
| McNamara | Skiles |
| Manning | Smith of Atascosa |
| Markle | Spacek |
| Martin | Spangler |
| Matthews | Stanford |
| Mills | Stinson |
| Montgomery | Stubbs |
| Morgan | Thornton |
| Morris | Turner |
| Murray | Vale |
| Pace | Voigt |
| Parker | Walters |
| Pevehouse | Wattner |
| Phillips | Weatherford |
| Price | White |
| Rampy | Whitesides |
| Reed of Bowie | Winfree |
| Reed of Dallas | |

Absent

| | |
|----------------|------------------|
| Bullock | Huddleston |
| Burnaman | McCann |
| Davis | McMurry |
| Dove | Nicholson |
| Fuchs | Rhodes |
| Garland | Sallas |
| Harris of Hill | Sharpe |
| Hartzog | Smith of Bastrop |

Absent—Excused

| | |
|---------|----------|
| Burkett | Ridgeway |
| Manford | Taylor |
| Moore | |

MESSAGE FROM THE SENATE

Austin, Texas, March 5, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 67, A bill to be entitled "An Act giving to Boards of Trustees of Independent and Common School Districts in this State the power to designate certain grades or sections of grades above second grade, etc., and declaring an emergency."

S. B. No. 70, A bill to be entitled "An Act to amend Section 8 of House Bill No. 440, Regular Ses-

sion, 45th Legislature, Acts of 1937, Chapter 169, providing for the exemption for prescribing, administering, dispensing or selling at retail certain specified medicinal preparations, etc., and declaring an emergency."

S. B. No. 126, A bill to be entitled "An Act authorizing trustees of Common School Districts and Consolidated Common School Districts to make contracts with superintendents, principals, and teachers, etc., and declaring an emergency."

S. B. No. 212, A bill to be entitled "An Act authorizing any banking corporation selected as the depository for county funds or as the depository for the funds of any school district in Texas, etc., and declaring an emergency."

The Senate has adopted the Conference Committee report on Senate Bill No. 36 by the following vote: Yeas, 30; nays, 0.

Passed

H. B. No. 241, A bill to be entitled "An Act authorizing the Trustees of the Crosbyton Independent School District in Crosby County, Texas, to borrow money in a sum not to exceed Ten Thousand (\$10,000) for the purpose of paying outstanding obligations, etc., and declaring an emergency."

H. B. No. 250, A bill to be entitled "An Act to fix the minimum rate of tax to be levied for school purposes in the Crosbyton Independent School District in Crosby County, etc., and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

S. B. No. 67, to the Committee on School Districts.

S. B. No. 70, to the Committee on Public Health.

S. B. No. 126, to the Committee on School Districts.

S. B. No. 212, to the Committee on Banks and Banking.

RESOLUTIONS SIGNED BY THE SPEAKER

The Chair signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled resolutions:

S. C. R. No. 21, Authorizing Crosbyton Independent School District to Borrow Certain Money.

S. C. R. No. 22, Authorizing Crosbyton Independent School District to Levy Certain Tax.

S. C. R. No. 25, Memorializing Congress in regard to Passage of Certain Legislation.

S. C. R. No. 29, Petitioning Congress in regard to Conservation of Petroleum Resources.

ADJOURNMENT

On motion of Mr. Kelly, the House at 12:30 o'clock p. m. adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following Committees have filed favorable reports on bills, as follows:

Appropriations: H. B. No. 284.

Criminal Jurisprudence: H. B. Nos. 94, 164 and 184.

Commerce and Manufactures: H. B. No. 421.

Counties: H. B. Nos. 707 and 708.

Public Lands and Buildings: H. B. Nos. 354, 382 and 540.

State Affairs: H. B. Nos. 187, 405, 425 and S. B. No. 38.

Game and Fisheries: H. B. Nos. 440, 483, 503, 504, 542, 649 and 650.

Judiciary and Uniform State Laws: H. B. No. 593 and S. B. No. 136.

Banks and Banking: S. B. No. 212.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, March 4, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 16, A bill to be entitled "An Act amending Subdivision 83 of Article 1302, Title 32, Chapter 1, of the Revised Civil Statutes of the State of Texas, 1925, relating to the formation of private corporations to organize laborers, working men, wage earners, and farmers to protect themselves in their various pursuits; vesting authority in the Commissioner of Labor Statistics to make investigation for charters and amendments to charters for such purposes; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 4, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 17, A bill to be entitled "An Act appropriating fees and unexpended balances that have accrued or that may accrue during the fiscal year ending August 31, 1941, by virtue of Chapter 7, Article 133, Revised Civil Statutes, 1925; Article 5764, Revised Civil Statutes, 1925; Article 5695, Revised Civil Statutes, 1925; Chapter 287, Regular Session, Forty-second Legislature; Chapter 304, Regular Session, Forty-first Legislature; and House Bill No. 12, First Called Session, Forty-fifth Legislature, and any amendments to any of said Acts, to the Department of Agriculture to be used in the enforcement of said Acts, including traveling expenses, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 4, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 74, A bill to be entitled "An Act to amend Article 2970, Title 50, Chapter 5, of the Revised Civil Statutes of Texas, of 1925, as amended by Section 2 of Chapter 2, Acts of the Forty-sixth Legislature, Regular Session, 1939, page 296, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 4, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 77, A bill to be entitled "An Act to amend Section 8 of Chapter 282, Acts of the Regular Session, Forty-second Legislature, 1931, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 4, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 75, A bill to be entitled "An Act to amend Article 2961 and Article 2962 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 4, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 78, A bill to be entitled "An Act to provide for agreements between the Commissioners' Court of any county in this State, for and on behalf of the county and political subdivisions thereof, and the United States, relative to resettlement of rural rehabilitation projects, and providing for the payment by the United States to the county of sums in lieu of taxes; defining the duties of the county treasurer pertaining to such agreement and to the apportionment of payments from the United States thereunder; prescribing

ing the method of determining the sums of money to be paid by the United States in lieu of taxes; providing for the depositing of moneys received from the United States and defining terms."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 4, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 233, A bill to be entitled "An Act appropriating the sum of Nine Hundred Seventy-seven Thousand, Three Hundred and Thirty-two Dollars (\$977,332) per year, or so much thereof as may be necessary, for the next biennium beginning September 1, 1941, and ending August 31, 1943, from the General Revenue Fund for the purpose of promoting public school interests and assisting local districts in the teaching of vocational agriculture, home economics, trades and industries, general rehabilitation, and rehabilitation for crippled children according to the Federal laws governing vocational education, all of which shall be matched by Federal funds; providing for the administration, attaching conditions, regulations, and limitations relative thereto, making various allocations of said appropriation; authorizing aid to such schools in accordance with the conditions specified herein; providing for certain regulations concerning qualification of teachers; providing all costs of administering funds named in this Act shall be paid out of monies appropriated in this Act under the authority of the State Superintendent of Public Instruction under the direction of the State Board of Education; defining the powers of the State Board of Education and the State Superintendent; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 4, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 2, Proposing an amendment to Section 9 of Article VIII of the Constitution of the State of Texas, by providing that counties may levy, assess, and collect such taxes as may be authorized by law but not to exceed Eighty (80) Cents on the one hundred dollars valuation in any one year; providing for allocation of said tax; providing tax may be reallocated by the Commissioners Court after approval of a majority of taxpaying voters of such county at a general or special election; . . . and declaring an emergency.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

THIRTY-THIRD DAY

(Thursday, March 6, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Honorable R. Emmett Morse.

The roll of the House was called, and the following Members were present:

| | |
|-------------|------------------|
| Allen | Clark |
| Allison | Cleveland |
| Alsup | Coker |
| Anderson | Colson, Mrs. |
| Avant | Connelly |
| Bailey | Craig |
| Baker | Crossley |
| Bean | Crosthwait |
| Bell | Daniel |
| Benton | Davis |
| Blankenship | Deen |
| Boone | Dickson of Bexar |
| Brawner | Dickson of Nolan |
| Bridgers | Donald |
| Brown | Dove |
| Bruhl | Duckett |
| Bullock | Dwyer |
| Bundy | Ellis |
| Burkett | Eubank |
| Burnaman | Evans |
| Carlton | Favors |
| Carrington | Ferguson |
| Cato | Files |
| Celaya | Fitzgerald |
| Chambers | Fuchs |